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REMARKSStatus Summary

In this Amendment, no claims are added, and no claims are canceled. Therefore, upon entry of this Amendment, claims 1-40 will remain pending.

Claim Rejections 35 U.S.C. § 103

Claims 1, 2, 4-11, 14-17, 22-25, and 29-40 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,816,878 to Zimmers et al. (hereinafter, "Zimmers") in view of U.S. Patent No. 6,501,832 to Saylor et al. (hereinafter, "Saylor").

Claim 3 was rejected under 35 U.S.C. § 103(a) as unpatentable over Zimmers in view of Saylor and further in view of U.S. Patent No. 6,157,924 to Austin (hereinafter, "Austin").

Claims 12, 13, 18-21, and 26-28 were rejected under 35 U.S.C. § 103(a) as unpatentable over Zimmers in view of Saylor as applied to claims 1, 2, 4-11, 14-17, 22-25, and 29-40 and further in view of U.S. Patent Application Publication No. US 2002/0184131 to Gatto (hereinafter, "Gatto").

Each of these rejections is respectfully and separately traversed.

Independent claims 1, 14, and 17 have been amended to recite that the knowledge switch includes a contact list template for defining a plurality of different contact profiles for a user, each contact profile including at least one mode for contacting the user and contact information for contacting the user in the at least one mode, and a schedule template for associating a plurality of different time periods with the contact profiles. The claims have also been amended to recite that the knowledge

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switch uses the contact profiles and times defined by the user to deliver information alerts to the user. Support for this claim amendment is found, for example on page 20, lines 4-22, Figures 7-9 and page 24, lines 12-13 of the present specification. For example, Figures 7 and 8 illustrate an exemplary contacts list template where a user specifies a plurality of different modes and corresponding contact information for contacting the user. For example, in Figure 7, block 708 allows the user to define contact information for contacting the user via three different contact modes: phone, mobile phone, and email address. The contacts list template in Figure 7 is associated with the contact profile for a network center in an airport terminal. In Figure 8, the user can define another contact profile where the user specifies contact information for each of the three modes for contacting the user at home. Figure 9 illustrates a schedule template where the user associates different time periods with each contact profile defined using the contact list template. Page 24, lines 12-13 of the present specification illustrate the use of the contact profiles by the knowledge switch. Providing an easy to use interface that allows a user to associate contact modes and corresponding contact information with different time periods increases the likelihood that an alert will reach the user because the user is more likely to keep his or her contact information current. (See page 20, lines 13-17 of the present specification.) Moreover, providing a contact list template that allows a user to define a plurality of different contact profiles also increases the likelihood that an information alert will reach the user.

There is absolutely no teaching or suggestion in any of the references cited in the Office Action of providing a contact list template that allows a user to define a plurality of different contact profiles with contact modes and corresponding contact information or a

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schedule template that allows a user to associate different times with the contact profiles. Zimmers is directed to an alert notification system where alerts, such as weather alerts, are delivered to users via telephones, pagers, email, Internet, or other media. (See Abstract of Zimmers.) With regard to distributing weather alerts to the subscribers, Zimmers discloses that a subscriber preferences table 190 is used to identify preferences of a subscriber with regard to notifications delivered by the system. (See column 16, lines 57-59 of Zimmers.) Zimmers also discloses that the subscriber can define multiple preference records in table 190 for a given subscriber—one record for each type of notification for which the subscriber has indicated preferences. (See column 17, lines 5-10 of Zimmers.) However, there is absolutely no teaching or suggestion in Zimmers that preferences table 190 associates time periods with contact modes and contact information for contacting the subscriber via the contact modes. The only example given in Zimmers of a time-based user preference is the association of a time period with regard to a particular notification type. For example, in column 17 at lines 3-5, Zimmers indicates that the subscriber may not wish to be notified of some types of weather alerts when the subscriber is in a home at night where such alerts are not relevant. There is absolutely no mention of associating times with contact modes or corresponding contact information. Accordingly, it is respectfully submitted that Zimmers fails to teach the invention claimed in independent claims 1, 14, or 17.

Saylor likewise fails to teach or suggest a profiles module that includes a contact list template for defining a plurality of contact profiles for a user, where each profile includes at least one contact mode and corresponding contact information, or a schedule template for associating a plurality of different time periods with the different

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contact modes. Saylor is directed to a system that allows a user to access the Internet using voice codes. According to Saylor, a voice code is a data stream that is used to identify a voice web page. (See column 2, lines 41-43 of Saylor.) There is absolutely no teaching or suggestion of a contact list template that allows a user to define a plurality of different contact profiles, each including a contact mode and corresponding contact information, or a schedule template that allows a user to specify times for contacting the user via each contact profile. On page 6 of the Official Action, in the third and fourth full paragraphs, the Examiner indicates that Zimmers and Saylor disclose a contact list template and a schedule template as claimed. In particular, the Official Action references column 8, lines 16-24 and lines 62-67 and column 9, lines 1-8 of Zimmers and column 15, lines 53-64, column 17, lines 61-67, and column 18, lines 1-10 of Saylor with regard to the contact list template. Column 8, lines 15-23, of Zimmers states as follows:

A last category of alert is a school/organization alert, used to notify students/parents of a school cancellation/emergency or analogously notify members of an organization of a cancellation/emergency or schedule change. To facilitate such alerts, a School/Organization ID field holds a nine byte numeric value identifying a school (or school district) or organization. A school or organization related alert will identify the subscribers needing notification, using the school/organization ID number stored in this field.

The above-quoted passage from Zimmers relates to defining a category of alert relating to schools and that individuals needing the alert will be stored in an organization ID number in the school/organization ID field. There is absolutely no mention of a template that allows the user to associate a plurality of different contact profiles with a plurality of time periods as claimed.

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Lines 62-67 in column 8 and lines 1-8 in column 9 of Zimmers cited in the Official Action state as follows:

Furthermore, notification parsing system 106 may identify heading information such as, at 124, the text indicating that the tornado is moving northeast at 40 mph. The alert time and alert ending time information, available in GMT format ("010238" and "010305"), and in a text format, can be used to identify a time period for that alert.

Notification parsing system 106 may also utilize the listing of affected towns at 126 to identify zip codes of those locations and thereby produce alert notifications based upon zip codes. Furthermore, the body of the NWS message may also be inserted into a facsimile message, sent as an electronic mail message, read via a computer-generate voice over the telephone, or forwarded to a text pager.

The above-quoted passage from Zimmers indicates that the starting and ending time for a weather related alert, such as a tornado may be specified in start time and end time fields. These times have absolutely nothing to do with different contact profiles that specify modes and corresponding information for contacting a user. The remaining part of this passage states that affected towns can be identified by zip codes, which have nothing to do with contact profiles or scheduling as claimed. Thus, this portion of Zimmers fails to teach a contact list template or a schedule template as claimed.

Column 15, lines 53-64, of Saylor states as follows:

A more detailed description of the contents of VNAP 12 may be understood with reference to FIG. 2 and FIG. 7. First, a user registers with the VNAP and accordingly a VNAP registration/subscription module 47 is provided. VNAP 12 may also comprise a user pre-registration and personalization module 47 that enables users to contact VNAP 12 and establish an account for billing and personalization purposes. To pre-register, the user may input name, address, contact information, payment mechanism information, preferences, demographic information, language, etc. Other types of information requested during registration may be input and stored as well.

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The above-quoted passage from Saylor indicates that a user can establish an account with a voice network application provider (VNAP). The registration process allows the user to specify contact information and preferences. However, these preferences relate only to aspects, such as voice playback tone, associated with accessing Internet using voice codes. There is absolutely no teaching or suggestion of a contact list template that allows a user to associate contact modes and corresponding contact information with different time periods that a knowledge switch will use to deliver information alerts to the user.

Column 17, lines 61-67 and column 18, lines 1-10 of Saylor state as follows:

The main menu allows the following links: My Profile, My Billing, My Preferences, and My Content. "My Profile" brings up the Profile Administrator. According to one embodiment, this section may allow users to: View/set/change Full Name, View/set/change Nickname, View/set/change Address(es), View/set/change Phone number(s), View/set/change Email(s), etc. It allows users to set and change billing options. "My Preferences" links users to a page that allows users to change their TTS settings preferences (male/female, speed, pitch, etc.). "My Content" may provide links to subscriber-provided content in the VNAP system to enable a user to create, modify, or delete content provided on the system. As depicted in FIG. 2, VNAP 12 may also comprise a plurality of modules to enable delivery of content to users based on the input of VCodes corresponding to the content.

The above-quoted passage from Saylor describes a menu that allows a user to define a profile, billing information and content by which the user accesses the Internet using voice codes. None of the information provided by the user relates to contact modes and corresponding contact information or associating contact modes and information with different time periods. The only preferences that a user specifies relate to voice network access preferences, such as speed, pitch, and whether the voice used to read the voice pages to the user is male or female. Accordingly, since none of the passages

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in Saylor or Zimmers cited by the Examiner teach a contact list template as claimed, it is respectfully submitted that the combination of Saylor and Zimmers fail to teach the invention claimed in any of the independent claims.

With regard to the schedule template, paragraph four on page six of the Official Action indicates that column 8, lines 15-23 and column 28, lines 50-53 of Zimmers disclose this feature. Column 8, lines 15-23 and column 28, lines 50-53 of Zimmers state as follows:

A last category of alert is a school/organization alert, used to notify students/parents of a school cancellation/emergency or analogously notify members of an organization of a cancellation/emergency or schedule change. To facilitate such alerts, a School/Organization ID field holds a nine byte numeric value identifying a school (or school district) or organization. A school or organization related alert will identify the subscribers needing notification, using the school/organization ID number stored in this field.

67. The system of claim 43 wherein said announcement identifies an unscheduled closing of a public place.

68. The system of claim 43 wherein said announcement identifies a change in a regularly scheduled activity.

The above-quoted passage from column 8 of Zimmers defines a category of alert that the system of Zimmers delivers. As stated above, nothing about this category associates contact modes with different time periods. The above-quoted passage from column 28 of Zimmers is a listing of claim 67 and 68 of Zimmers, which indicates that the type of notification can be announcement that identifies an unscheduled closing of a public place or a change in a regularly scheduled activity. Nothing about this passage teaches the schedule template as claimed. Thus, because Zimmers and Saylor fail to teach a schedule template as claimed, for this additional reason, the rejection of the claims as unpatentable over Zimmers in view of Saylor should be reversed.

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None of the remaining references cited in the Official Action recite a contact list template or a schedule template as now claimed. Gatto is directed to a system for measuring, analyzing, and tracking performance of securities and lists earning estimates and recommendations. (See Abstract of Gatto.) The term "security" used in Gatto refers to a marketable security interest in a company. There is absolutely no teaching or suggestion in Gatto of a contact list template that allows a user to define a plurality of different contact profiles with contact modes and corresponding contact information or a schedule template that allows the user to associate different times with each of the contact modes. On page 17, third paragraph, the Official Action indicates that Zimmers, Saylor, and Gatto teach a contact list template and a schedule template that allow a user to associate contact information with different schedules. Applicants respectfully disagree. The portions of Saylor and Zimmers referenced in the Official Action have been addressed above. The Examiner cites paragraphs [0202] and [0203] of Gatto as disclosing contact list and scheduled templates.

Paragraphs [0202] and [0203] of Gatto state as follows:

[0202] In another embodiment of the invention, alert services may be available to users. A user may define alert conditions and parameters to enable the system to inform the user of the occurrence of events and conditions. For example, when a model is applied and an estimate exceeds the calculated average, or other factor, by a user-defined amount, the user may receive an alert or notification of such an event. Alert criteria may be entered by the user; selected from a list of possible conditions; created and defined through the use of templates and filters or any combination thereof. Alert duration may also be defined where the user may select a time period of activation. For example, the user may select to activate a particular alert for one fiscal quarter or for different fiscal periods within a fiscal year.

[0203] At the occurrence or fulfillment of user defined conditions and parameters, the system of the present invention may process the user



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defined alerts and inform the user through various mechanisms. For example, alerts may be sent to the user by wireless communication (e.g., electronic mail) or other mechanisms. Other modes of communication may include cell phone, fax, PDA, and Internet. The present invention when applied to stock estimates may serve to alert and inform the user of events that may persuade a user to purchase or sell a particular stock. According to one embodiment, a web site operator using the software of the present invention may offer a subscription service based on issuance of alerts. Other uses may be made of the enhanced composite estimates.

Paragraph [0202] from Gatto quoted above indicates that the user can define different events that trigger alerts to the user. Paragraph [0202] also indicates that the user can select the time period during which an alert applies, such as for different fiscal periods of a fiscal year. However, nothing about these time periods is associated with a mode or corresponding information for contacting the user via the selected mode. In paragraph [0203], Gatto mentions various modes for contacting the user, such as cell phone, fax, PDA, and Internet. However, nothing about this paragraph indicates that different contact modes are associated with different time periods or contact information defined by the user. Accordingly, for these reasons, the rejection of the claims as unpatentable over Zimmers in view of Saylor and further in view of Gatto should be withdrawn.

Austin likewise fails to teach a contact list template or a schedule template as claimed. Austin is directed to methods, systems, and computer program products for delivering information to users in a preferred medium. The stated purpose of the system disclosed in Austin is to provide alternatives to paper based mail that allow the same level of personalization as paper based mail. (See column 2, lines 3-6 of Austin.) The disclosure of Austin differs from the claimed invention in a number of respects. For example, the examples in Austin relate only to distributing financial and marketing

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information rather than distributing information alerts. Second, Austin requires a user to send a request for specific information, rather than automatically delivering the information to the recipients (see block 110 in Figure 6A of Austin.) Third, Austin fails to disclose any templates, such as a contact list template or a schedule template that allow a user define contact profiles, corresponding contact modes, corresponding contact information for contacting a user via the selected modes, and corresponding time periods, now as claimed. Accordingly, the rejection of the claims as unpatentable over Zimmers in view of Saylor and further in view of Austin should be withdrawn.

#### CONCLUSION

In light of the above amendments and remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and such action is earnestly solicited.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Official Action.

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The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.

Date: June 21, 2005

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